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FEB 25 2004

Serial No. 09/690667

OFFICE OF PETITIONS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MacWilliams

Examiner:

Monica Carter

Serial No. 09/690667

Group Art Unit:

3722

Filed: 10/17/2000

Docket No.

725.360-US-01

Title: LABEL HAVING FOLDING FEATURE

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 19 Feb 04.

Michael B. Lasky
Name

Signature

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
PURSUANT TO 37 C.F.R. §1.137(b)(2)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to Decision on Petition mailed January 22, 2004, wherein recommendation was made for Petitioner to file a petition stating that the delay was unintentional. Applicant resubmits copy of Altera Law Group mail log and Response to Office Action dated March 24, 2003.

Pursuant to 37 C.F.R. §1.137(b)(2), this is a petition to revive the above-identified unintentionally abandoned application.

This petition is accompanied by:

1. Response to Office action mailed March 24, 2003.
2. A statement that the delay was unintentional.

Applicant's Attorney of Record has received a *Notice of Abandonment* in the above referenced case. Applicant respectfully submits that the Notice of Abandonment was issued in error due to the fact that the Office Action mailed March 24, 2003 was never received by Applicant's Attorney of Record; therefore,

Discussion

On September 24, 2003, Applicant's Attorney of Record received a telephone call from Examiner Monica Carter questioning if Applicant had responded to the Office Action mailed March 24, 2003. In review of file it was noted by Applicant's Attorney that the Office Action mailed March 24, 2003 was not received by Applicant's Attorney.

Please note that Applicant transferred prosecution of application US Serial No: 09/690667 From Schwegman, Lundberg, Woessner & Kluth P.A. to Altera Law Group unfortunately around the time of mailing of the Office Action. Altera Law Group now being Attorney of Record. Upon telephone call from Examiner Carter, Altera Law Group placed a call to the Schwegman Law Firm inquiring about receipt of Office action. Altera Law Group was informed that an Office Action mailed March 24, 2003 had been received by the Schwegman Law Firm and that it had been forwarded on to Altera Law Group; however, had been addressed incorrectly to Altera Law Group and therefore returned to the Schwegman Law Firm by U.S. Mail (please see letter dated April 9, 2003 from Schwegman Law Firm and envelope date stamped 4/9/2003 providing proof of such). Pursuant to Examiner Carter placing a phone call on September 24, 2003 to Applicant's Attorney of Record and in turn Altera Law Group placing a call to the Schwegman Law Firm the Office Action was forwarded to Altera Law Group at the correct address (please see enclosed envelope date stamped 10/2/03 providing proof of such).

Enclosed with this petition is a statement by the applicant's attorney of record indicating that the Office Action was never received. Also enclosed is a copy of the docket record showing docket entries for the date the nonreceived Patent Office communication would have been entered had it been received and docketed. See MPEP §711.03(c)II

Remarks

It is believed that this petition is timely filed under 37 C.F.R. §1.181(f) since the Notice of Abandonment was received on October 2, 2003, Petition to Revive for unavoidable abandonment was filed December 1, 2003, with Decision on Petition mailed January 22, 2004.

As soon as applicant became aware of the abandonment of this application, immediate steps were taken to determine the reasons therefor, and to have the application revived by way of the instant petition. Applicant's petition is accompanied by a verified showing of the reasons for the unintentional abandonment. Permission is hereby given to charge Deposit Account Number 50-1038 a petition fee if the Office deems that such fee is required.

For the above stated reasons, Applicant respectfully requests that the holding of abandonment be withdrawn and that notice of same be transmitted to Applicant's Attorney of Record.

Respectfully submitted,
Altera Law Group, LLC
Customer No. 22865

Date: 2-19-04

By: _____

Michael B. Lasky
Reg. No. 29,555
MBL/blj